

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DUNZIK, et al.,	:	Civil Action No. 07-561 (HAA)
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	ORDER OF DESIGNATION
	:	FOR MEDIATION
CHAR-BROIL, INC., et al.,	:	
	:	
Defendants.	:	

The Court having adopted L.Civ.R.301.1 and Appendix Q, and this Rule having established a program for mediation of civil actions; and it appearing that mediation of this civil action would conserve the resources, and be in the best interests, of the Court and of the parties; and the parties having requested mediation; and good cause appearing;

IT IS on this 20th day of February, 2008,

ORDERED THAT:

1. This civil action be, and hereby is, referred to mediation consistent with said Rule.
2. Counsel and the parties shall participate in mediation and shall cooperate with the mediator.
3. Counsel and the parties shall mutually participate in mediation and shall cooperate with the mediator. Joseph F. Lagrotteria has been selected as the mediator. Pursuant to L.Civ.R. 301.1(c), the mediator shall be compensated \$300 an hour for service, which compensation shall be borne equally by the parties. Notwithstanding this provision, the first three hours of service shall be without compensation.
4. Counsel and the parties (including individuals with settlement authority) shall attend mediation sessions as requested by the mediator.
5. The mediator may meet with counsel and parties jointly or ex parte. All information presented to the mediator shall be deemed confidential and shall be disclosed by the mediator only upon consent of counsel, except as necessary to advise the Court of an apparent failure to participate. The mediator shall not be subject to subpoena by any party. No statements made or documents prepared for mediation sessions shall be disclosed in

any subsequent proceeding or be constructed as an admission against interests.

6. All proceedings in this civil action are hereby stayed for a period of 90 days from the date hereof, except that discovery as an aid to mediation, may be conducted as agreed to by the mediator and counsel. Specifically, the parties must exchange any documents necessary to facilitate mediation.
7. The parties shall notify the Court immediately after the mediation has concluded.

s/Esther Salas _____
ESTHER SALAS
UNITED STATES MAGISTRATE JUDGE